

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA
Plaintiff,

v.

PHILLIP HYDE

Defendant

and

BICKNELL & SMITH

Garnishee

1:04 CR 10074-01-JLT

**JOINT MOTION OF DEFENDANT, PHILLIP HYDE, AND GARNISHEE,
BICKNELL & SMITH, FOR INSTRUCTIONS ON WRIT OF GARNISHMENT**

The Defendant, Phillip Hyde, and Garnishee, Bicknell & Smith, hereby jointly move the Court for instructions on the Writ of Garnishment ("Writ") entered on August 18, 2005.

On November 2, 2005, in response to a question from the United States Bankruptcy Court, Feeney, J., this Court issued an Order stating that the restitution order, issued by this Court, creates an entirely new obligation owed by the Debtor, and allowed the Department of Justice ("DOJ") to enforce said restitution order. The Defendant timely filed an appeal of said Order.

On August 15, 2005, Bicknell & Smith, as closing counsel to the Defendant, was served with a Writ, garnishing the monies of the Defendant. On August 19, 2005, Bicknell & Smith answered the Writ, stating that approximately \$121,895.00 was being

Allowed
Tanner
1/15/06